

ZB# 72-10

Frank Maurice

(no SBL given)

Hearing
June 5, 1972

8 p.m.
~~no fees paid~~ all
paid

Notice in by

May 24th.

(no action)

72-10 - Frank Maurico!
Robert Reis

Filed 10/20/72
9:00 A.M.

12

Robert Lee

PUBLIC NOTICE OF HEARING BEFORE THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 44-33 of the Zoning Ordinance on the following proposition:

Appealing
Request for a Variance for a Family Dwelling being a Multiple Family Dwelling, a Variance of Article 1112 Section 4-4 for property by the same situation as follows: Dean Hill Road (Tax Map Nos. 45114 and 45116-1) Town of New Windsor, N.Y.

SAID HEARING will take place on the 5th day of June, 1972 at the New Windsor Town Hall, 55 Union Avenue, New Windsor, N.Y. beginning at 8:00 clock P.M.

FRED WYGANT
Chairman
By: **Patricia Dello**
Secretary


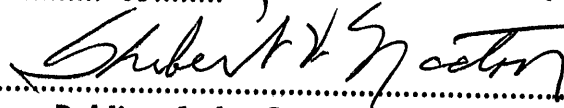
May 27

State of New York
County of Orange, ss:

Brian J. Donnelly, being duly sworn deposes and says that he is The Publisher of Newburgh-Beacon News Co., Inc., Publisher of The Evening News, a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published One Time

in said newspaper, commencing on the 27th day of May A.D., 19 72, and ending on the 27th day of May A.D., 19 72

Subscribed and sworn to before me this
1st day of June 19 72

Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 19 73

Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 72-10

Date: May 25, 1972

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (~~We~~) FRANK MAURICE, JR. of (No Street Number)
(Street & Number)

Vails Gate, New Windsor

New York
(State)

HEREBY MAKE

APPLICATION FOR A VARIANCE:

(Tax Map Nos. 65114 and 65116.1)

A. Location of the Property [No Street Number] Dean Hill Road, New Windsor, N.Y.
(Street & Number) (Zone) 12550

B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance.) Article III, Sections 48-33A, 48-34, 48-6 and 48-8.

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Applicant's property (consisting of approximately six acres of land) is unimproved and so situated with respect to adjacent properties and Town Roads, as to make its profitable utilization unfeasible.
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: the subject parcel, if subdivided in accordance with Town Law, would result in inadequate available and accessible space for the construction of a sufficient number of one-family residences to justify the necessary expenses of the applicant in providing appropriate water and sewage facilities to the premises.
3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: the applicant inherited the instant parcel of land approximately three years from the date of this application and has made no improvements on it since that time.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: the multiple-

family dwelling structure that the applicant wishes to erect on the subject parcel will be easthetically appropriate to the motiff of the neighborhood.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: the unique configuration of the parcel renders its general use considerably more limited than those of the surrounding properties.

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate. (Sketches, site plans and maps to be presented at Meeting.)

The property is to be used as a multiple-family dwelling ("Garden Apartments" - of above-middle income range, consisting of one bedroom, a den, one living room and one bathroom in each such apartment).

E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.

G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 l&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: May 25, 1972

Frank Maurice Jr
Signature of Applicant
Frank. Maurice, Jr.

STATE OF NEW YORK) SS.:
COUNTY OF ORANGE)

Sworn to on this 25th day of May, 19 72.

P.O. Box Vails Gate, N.Y. 12584

Address

565-7782

Telephone Number

Patricia Delio

(Notary Public) - Orange County

My Comm. Exps. 3/30/74

(DO NOT WRITE IN THIS SPACE)

Application No. _____
Date of Hearing _____
Date of Decision _____

Date Received _____
Notice Published _____

DECISION:

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

DATE 4/20/72

APPLICATION is hereby made for the following:

- ✓ 1. Name Frank Manner + Robert Reis
Address Vaib Sate N.Y. Box 366
Telephone number 562-9050
Are you the owner of the property? Yes

- ✓ 2. Briefly describe intention (or attach) and location of property:
To construct 1 Bedroom Apts on 3 acre Parcel
starting with 20 units. Maximum 40 units 8 units
per building

3. PLANNING BOARD

Site Plan Preliminary Meeting
Subdivision Preliminary Meeting
Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

Interpretation of Ordinance or Map
✓ Variance (Notify P/B - plans if necessary)
Prelim. Informational meeting

AGENDA DATE 5/1/72 - 8:15 p.m. - Public Hearing June 5th
8 p.m.

5. BUILDING PERMIT

Planning Board action needed
Z.B.A. action needed
Site plan needed
Subdivision approval needed
Water, Sewer and Highway action needed

ACTION TAKEN:

T do hereby affirm that all fees, permits and charges

5/1/72-
8:15 p.m.
Prelim.
meeting.
Land use
Variance.

APPLICATION is hereby made for the following:

✓ 1. Name Frank Manner + Robert Reis
Address Oak Gate N.Y. Box 366
Telephone number 562-9050
Are you the owner of the property? Yes

✓ 2. Briefly describe intention (or attach) and location of property:
To construct 1 Bedroom Apts on 3 acre Parcel
starting with 20 units. Maximum 40 units 8 units
per building

3. PLANNING BOARD

Site Plan Preliminary Meeting
Subdivision Preliminary Meeting
Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

Interpretation of Ordinance or Map
1 Variance (Notify P/B - plans if necessary)
Prelim.
Informational meeting

AGENDA DATE 5/11/72 - 8:15 p.m. - Public Hearing June 5th
8 p.m.

5. BUILDING PERMIT

Planning Board action needed
Z.B.A. action needed
Site plan needed
Subdivision approval needed
Water, Sewer and Highway action needed

ACTION TAKEN:

✓ I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

Signed: Frank Manner
(ADD. T. CANT)

5/11/72-
8:15 p.m.
Prelim.
meeting.
5.
Land use
Variance.

Agenda 5/1/72

TOWN OF NEW WINDSOR

244 UNION AVENUE • NEW WINDSOR, NEW YORK 12550 • PHONE 561-7126 - 561-7127

MESSAGE

TO

Young Board of Appeals
Mrs P. Delio, Sec.

DATE

4/20/72

Mr Maurice requests variance to
build garden apts in an R. A. Zone
Garden Apts are permitted only
in an R. C. district.

Please place on agenda &
Notify owner of date of meeting
of the 2 BA for required variance
of land use.

HP Cullen
[Signature]

BY

NO R73 © The Drawing Board Inc. Box 505 Dallas Texas

INSTRUCTIONS TO SENDER:

1 KEEP YELLOW COPY 2 SEND WHITE AND PINK COPIES WITH CARBON INTACT.

REPLY

DATE

SIGNED

INSTRUCTIONS TO RECEIVER

1 WRITE REPLY 2 DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER

DANIEL J BLOOM & PETER E. BLOOM

Attorney at Law

POST OFFICE BOX 477 *Vault Gate, New York 12584* TELEPHONE 561-6920

June 8, 1972

Town of New Windsor
Zoning Board of Appeals
555 Union Avenue
New Windsor, New York 12550

Re: Appeal No. 10 (Frank Maurice, Jr.)
Application for Zoning Board Variance
(Article 3, Section 48-6 of New Windsor
Zoning Code)

Gentlemen:

Enclosed herewith please find the following items which I submit in furtherance of Frank J. Maurice, Jr.'s application for the above-referenced zoning variance:

1. Original Affidavit of Publication executed by Brian J. Donnelly, the publisher of the Newburgh-Beacon News Co., Inc. and the Evening News.

2. Photostatic copy of letter dated May 26, 1972, to Dr. Bernard Brophy, Dr. Peter Boyce, Mr. Frank Bennedict and the City of Newburgh Water Department, all of the individuals who own property within 500 feet of the subject premises.

3. Certified Mail receipts relating to each of the above-mentioned individuals.

4. Photostatic copy of correspondence forwarded to each of the above-referenced individuals by Certified Mail, Return Receipt Requested.

5. Photostatic copy of Public Notice of Hearing before the Zoning Board of Appeals which was enclosed in the above-referenced letter to each of the individuals owning property within 500 feet of the subject premises.

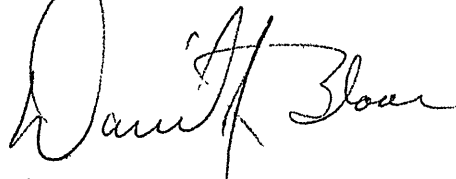
I trust that the enclosures complete your file in this matter.

Please feel free to contact me should you wish any additional information.

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Re: Appeal No. 10 (Frank Maurice, Jr.)
Application for Zoning Board Variance

Very truly yours,

A handwritten signature in cursive script, appearing to read "Daniel J. Bloom". The signature is written in dark ink and is positioned above the printed name.

Daniel J. Bloom

DJB:jjjs
Encls.

REGISTERED MAIL - RETURN RECEIPT REQUESTED

May 26, 1972

Dr. Bernard Brophy
R.D. #2, Dean Hill Road
New Windsor, New York 12550

Dr. Peter Boyce
Lowell Observatory
Flagstaff, Arizona 86001

Mr. Frank Benedict
R.D. 2, Mt. Airy Road
New Windsor, New York 12550

The City of Newburgh
Water Department
City Hall, Broadway
Newburgh, New York 12550

Re: Frank Maurice, Jr. - Application
for Zoning Board Variance (Arti-
cle III, Section 48-6 of New Wind-
sor Zoning Code)

Please be advised that my above-referenced client, Mr. Frank Maurice, Jr., will make formal application to The Zoning Board of Appeals of the Town of New Windsor, New York for a variance to permit the construction of a multiple-family dwelling on premises located on Dean Hill Road, New Windsor, New York, pursuant to the enclosed Notice of Hearing, which hearing will be held at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, on June 5, 1972, at 8:00 o'clock P. M.

This Notice is given pursuant to the appropriate direction of The Zoning Board of Appeals and I wish you would

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May 26, 1972

feel free to be present at the Public meeting to voice any objections to the granting of the variance, if you should have any at said time.

Very truly yours,

PETER F. BLOOM

PEB:bm
Enc.

Blessed Copy to

Robert Reiss
c/o Vails Gate Dinner
Vails Gate N.Y. 12484